

REAL ESTATE COMMISSION
Professional & Vocational Licensing Division
Department of Regulatory Agencies
State of Hawaii

MINUTES OF MEETING

Date: Tuesday, March 15, 1966

Place: Conference Room, 424 South Beretania Street, Honolulu, Hawaii

Present: Jack K. Palk, (Oahu) Chairman William A. Beard, (Hawaii)
Yukio Kashiwa, (Oahu) Vice Chairman Harold J. Silva, (Oahu)
Mrs. Dorothy S. Ahrens, (Kauai) William H. C. Young, (Oahu)

Tom L. Peterson, Deputy Attorney General
Robt E. Bekeart, Executive Secretary

The resignation of Douglas R. Sodeani (Maui), as reported in the February 18, 1966 proceedings, leaves a vacancy for the County of Maui.

By Invitation:

Wesley F. Charlton, representing Real Estate Association of Hawaii
Phil B. Thomas, representing Honolulu Board of Realtors

Absent: Unfilled vacancy for Maui.

Call to Order: There being a quorum, Mr. Palk, presiding as Chairman, called the meeting to order at 1:35 p.m.

Minutes: UPON MOTION, the Commission approved the minutes of Friday, February 18, 1966.

Motion carried unanimously.

Financial Report: The Financial Report for the Third Quarter ending February 28, 1966 was noted and filed.

Business Out of Minutes: LICENSING (Sec. 170-1. through 170-14.)

FEBRUARY 15, 1966 EXAMINATION

The Executive Secretary presented EXHIBIT "A" showing the ranking of sixty-four (64) candidates for a real estate broker license.

UPON MOTION, the Commission ruled that the following applicants for real estate broker license were found qualified in the February 15, 1966 written examination:

<u>I.D. No.</u>	<u>Name</u>	<u>I.D. No.</u>	<u>Name</u>
618	AIU, Andrew K.	617	JENKINS, Irving
631	CHING, Roger	653	KAI, Douglas D.
667	CHUN, Gloria Y.	644	KIYABU, Kenneth S.
624	CHUNG-HOON, Gordon P.	619	LAM, James C.
611	CLARK, Charles G.	636	LANHAM, Annie L.
668	DELA CRUZ, Jesse N.	622	PHELPS, John N.
645	EASTERLING, Jeanne	620	ROTHWELL, D'Arcy G.
638	FERNANDEZ, Charles L., Jr.	632	SINGLETON, James S.
659	GEIGER, Doris K.	606	VAN DER LINDEN, Louis G.
652	HAYASHI, Wallace T.	612	WOO, Joseph
648	ISHIKAWA, Richard I.	634	WOOD, Arthur K.
665	IWAKAMI, Charles M.		

Motion carried unanimously

The Executive Secretary presented EXHIBIT "B" showing the ranking of four hundred and sixteen (416) candidates for a real estate salesman license.

UPON MOTION, the Commission ruled that the following applicants for real estate salesman license were found qualified in the February 15, 1966 written examination:

<u>I.D. No.</u>	<u>Name</u>	<u>I.D. No.</u>	<u>Name</u>
177	ALENCASTRE, Priscilla K.	156	CHANG, Richard W. K.
91	ANASTASOPULOS, Theodore A.	169	CHEE, Frederick K. O.
126	ANDERSON, Jeanne A.	114	CHING, Wilfred K. S.
147	ARBUCKLE, Albert	92	CHIPCHASE, Calvert G.
46	ASHLEY, Robert	157	CHONG, Edward K.
102	ATWELL, William H.	210	CHUN, Betty N.
110	BAKER, Bonnie G.	58	CHUNG, Moses
64	BARKER, Berta	190	COCKETT, Happy C.
40	BEARUP, Ross H.	191	COCKETT, Josephine G.
189	BEIRNE, Orpha K.	225	COOPER, Robert E.
55	BERGMAN, Carol B.	59	CORDEIRO, Norbert G.
61	BISHOP, Robert B.	208	COWDEN, Elizabeth G.
152	BLANK, Peggy O'Neill	224	DANG, Vivian L.
80	BORGES, Alvin G.	188	DAYLEY, Douglas L.
173	BOYER, Alexene	383	DEW, Edward L.
185	BURNS, Marie P.	144	DOANE, Leland R.
38	BUSH, Jeanne H.	82	DOLAN, Ruth A.
39	CALLAHAN, Dolores	75	DUFF, Sharron K.
41	CALLAHAN, Richard G.	166	ENDOW, Michiro
340	CANTO, Manuel	292	FAUFATA, Pearl P.
106	CHAMBERLIN, John W.	171	FERREIRA, John R.
172	CHANG, Gerald Y. S.	84	FISH, Oscar H.
100	CHANG, Kenneth	414	FLORES, Jesus L.
197	CHANG, Norman G. E.	207	FUKUDA, Roy T.
176	CHANG, Peter S.	359	FURUTO, Douglas S.

<u>I.D. No.</u>	<u>Name</u>	<u>I.D. No.</u>	<u>Name</u>
324	GEARY, Lewis W.	212	KONO, Henry T.
227	GERNER, Norman	70	KURLANSKY, Ernest J.
175	GOETZ, Marlene E.	254	LAIKIND, Sol
96	GORDON, Abraham G.	256	LANG, James H.
186	GORDON, Hugh	88	LE GRANDE, Ranita R.
69	GOROSPE, Cornelio J.	354	LEE, Henry K. S.
107	CRAIG, Eugene F.	420	LEE, Joel W. H.
141	GRANITO, Anthony A.	350	LEE, Kam Tai
87	GREENE, Florence G.	192	LEHMANN, Therese A.
73	GUTHRIE, W. E.	231	LITTLEMAN, Joseph
196	HARADA, Ronald T.	338	LIU, Edward F.
218	HASHIMOTO, Paul H.	352	LOCEY, Richard C.
44	HELLINGER, Eugene	98	LOPEZ, Anthony J., Jr.
94	HEUCHAN, Bernice L.	405	LUCAS, Ellen L.
104	HICKEY, William J.	242	LUKE, Clarence H.
77	HILT, Priscilla	386	LUKO, Eileen W.
62	HIRAGA, Laura J.	416	MACARAEG, Fely M.
54	HIRAHARA, Betty-Ann	407	MACDONALD, Frances R.
52	HIRAHARA, Ronald M.	406	MACDONALD, Richard
145	HIRATA, Hiroki	404	MACLEOD, Theron C.
67	HORITA, Harry M.	268	MAEDA, Ralph H.
168	HOWELL, William B.	376	MAESAKA, Ert S.
78	HUGY, Stephanie S.	285	MAMIYA, Christy T.
174	ICHIYAMA, Gordon M.	276	MANN, Rildah S.
223	IGAWA, Fred T.	275	MANUEL, Priscilla D.
119	IKEDA, Gilbert N.	390	MARTIN, Patricia A.
148	IMAI, James K.	320	MATSUMOTO, Wayne
161	ING, Richard B. W.	351	MATSUSHIMA, Paul S.
128	JACOBSEN, Norman W.	355	MATSUWAKA, Barbara T.
85	JADRNICKEK, James R.	398	MEDAIRY, Mary J.
387	JAQUES, Kathleen L.	377	MEDAIRY, Richard T.
89	JENKINS, Marilyn J.	417	MERSHON, B. K.
139	JOHNSON, Jon R.	155	MILNE, Leslie M.
132	KAIWI, Charles	247	MIYAHIRA, Wallace S.
146	KANG, Alicia C.	400	MIYAMOTO, Garrett H.
203	KAWAI, Yoshio	401	MIYAMOTO, Lionel T.
164	KAWAKAMI, Stanley S.	418	MIZUKAMI, Glenn K.
163	KAWASAKI, Edward Y.	283	MONTOYA, Arthur
43	KEALOHA, Joseph G., Jr.	342	MOON, Charles I.
341	KEAWEAMAHI, Franklin L.	250	MORIYAMA, Jean K.
122	KELLEY, Sandra	255	MORLAN, Robert M.
51	KENNEDY, John S.	314	MOWBRAY, Russell M.
159	KIMURA, Betty Y.	105	MUIR, Beverly P.
195	KIMURA, Douglas Y.	295	MUIR, Frederick D., Jr.
216	KIMURA, Mae S.	291	MULLERS, Grace A.
182	KING, Robert C.	403	MURAKAMI, Stanley M.
79	KINOSHITA, Faye M.	327	NAGAISHI, James F.
81	KINOSHITA, Michael M.	290	NAGAO, Robert N.
101	KOBAYASHI, Goro	321	NUNES, Leslie K.
97	KOBAYASHI, Itsumi	413	O'CONNOR, Ruth E.
99	KOBAYASHI, Paul Y.	273	OH, Daniel C. H.

<u>I.D. No.</u>	<u>Name</u>	<u>I.D. No.</u>	<u>Name</u>
392	OHARA, Harold T.	348	TOM, Theodore C. K.
378	OKUMURA, Masanori	305	UMEMOTO, Charles N.
343	OLAYAN, Robert F.	262	UYEDA, Melvin S.
252	OLINGY, Loraine P.	380	VAN BELLE, Jacques
316	ONAGA, Kojin	330	VASCONCELLOS, Jacob
294	OSORIO, Emil M., Jr.	288	WADA, James S.
381	OUCHI, Harold M.	230	WATANABE, Walter T.
411	OZAKI, Ruby	371	WESTFALL, Geraldine
385	PACHECO, George M.	265	WHEELER, Alvan C.
395	PANG, Sung Hoon	356	WONG, Henry L. L.
245	PANG, William M. Y.	299	WONG, Marvin L.
388	PASCUA, Bonnie A.	373	WONG, Wallace
419	PASCUA, Esther G.	363	WONG, Wallace S.
423	PAUL, Theodore R., Jr.	399	WOODBURN, Ivan P.
329	PETERS, Donna J.	358	WYLIE, William E.
308	ROOSEVELT, Jessica	271	YAMANE, Richard M.
307	SAKA, Stanley M.	412	YAMASAKI, Iwao
312	SAKAI, Thomas	239	YANAGAWA, Gilbert A.
347	SAKURAI, Thomas K.	379	YASAKA, Luke H.
389	SEARLE, James	360	YOUNG, Allen C. H.
253	SHAE, Henry	25	BATES, Robert L.
368	SHINSATO, Adam T.	34	CUMMING, J. Scott
229	SKIFF, Charles S.	1	GRAHAM, Eunice W.
278	SNAVELY, Patricia L.	10	HALE, Helene H.
337	SUR, Henry	7	HECHT, Sylvia
331	TAKAKUWA, George	16	NAKAYAMA, Carl
367	TAM, Edward	2	NISHII, Stanley N.
394	TAM, Edwin S. O. A.	4	ODO, Ronald I.
313	TAMANAHARA, Terry A.	35	SEONG, Clarence K.
263	TAMASHIRO, Patricia	13	SHAYNE, Peter
325	TAVARES, Joseph L.	23	SMART, Antony
298	TERUYA, Thomas T., Jr.	21	TEGMAN, Jane M.
279	THARP, Carol A.	11	THROM, Rita
280	THARP, Gary G	12	TURNER, Joan J.
240	THOMPSON, Leslie T.	14	VANA, Mary
272	THORNTON, James C.		

Motion carried unanimously.

DEVORE LICENSE APPLICATION: Deputy Attorney General Mr. Peterson and the Executive Secretary will work for concluding the arrangements for the examination of the applicant by a mental health professional from the Department of Health. It was agreed that Mr. Okaji, Licensing Division Administrator is to establish contact with the health authorities to affect the desired examination as set forth in the February 18, 1966 minutes.

Carried forward to the next meeting.

SUBDIVISIONS (Sec. 170-30. through 170-38.)

KONA-SOUTH ESTATES - The Executive Secretary reported that as of this date, the Subdivider has not been advised of the Commission's requirements for completing the registration.

Carried forward to the next meeting.

CONDOMINIUMS: (Sec. 170A-1, through 170A-44.)

REGISTRATION NO. 46 - PUNAHOU WILDER CONDOMINIUM
Supplementary Public Report issued March 10, 1966

REGISTRATION NO. 94 - ALII TOWERS
Addendum Supplementary Public Report issued March 10, 1966

REGISTRATION NO. 97 - THE WAIKIKI SKYLINER
Final Public Report issued March 10, 1966

REGISTRATION NO. 124 - HONOKEANA COVE
Final Public Report issued March 11, 1966

The above information on registrations carried over from the previous meeting was accepted by the Commission.

New Business:

LICENSING

NEW CORPORATIONS, PARTNERSHIPS, DBAs and BRANCH OFFICES
UPON MOTION, the Commission ruled that the license tentatively authorized for the following be approved, ratifying the action of the Executive Secretary:

Corporation
(None)

Partnership
ASSURED REALTY COMPANY Iwao Yokooji, RPB

DBAs
(None)

Branch Office
(None)

Motion carried unanimously.

SUBDIVISIONS

UPON MOTION, the Commission accepts as completed the Subdivision Registration Statement on the following:

HANAMAULU HOMES, UNIT. II SUBDIVISION (Kauai)

Motion carried unanimously.

Registrations have been received on the following out-of-state subdivisions:

PORT CHARLOTTE DEVELOPMENT (Florida)

Mr. Silva will examine this registration and present his findings and recommendations at the next meeting.

PORT ST. LUCIE DEVELOPMENT (Florida)

Mr. Young will examine this registration and present his findings and recommendations at the next meeting.

PORT MALABAR DEVELOPMENT (Florida)

Mr. Kashiwa will examine this registration and present his findings and recommendations at the next meeting.

MILILANI TOWN - Oceanic Properties, Inc.

The Chairman had earlier instructed the Executive Secretary to place the proposed letter to Kipapa Village residents on the agenda for discussion. The members studied the draft letter, with its enclosures being a reservation form for those who would indicate their interest in the Developer's financial assistance program. A form of reply from those who are not interested in purchasing a residential lot or packaged house and lot in the first stage construction of Mililani Town was also studied.

The Commission reviewed the various courses of action open to the Developer in seeking a solution to the problem. The suggestion was made that the subdivider might consider proceeding with the financial assistance program without using the proposed letter. It was noted that the reservation agreement form need not be considered as the most important element in the program.

In concluding the discussion, the Commission observed that the Developer could explore an arrangement whereby Kipapa Village tenants participate in the financial assistance program by submitting an application and qualifying for a residential lot or house and lot package.

CONDOMINIUMS - Notices of Intention have been submitted on:

(UNASSIGNED) BEAUMONT WOODS TERRACE CONDOMINIUM

(UNASSIGNED) ALOHA AINA

(UNASSIGNED) HOLIDAY VILLAGE

REGISTRATION NO. 9 KAUAIAN HYATT HOUSE

The Executive Secretary reported orally on the present litigation relating to the project as being heard in the Court of the Sixth Circuit, County of Kauai.

Investigations: RE-198 VIOLET C. KING - The Executive Secretary has not checked into the matter of Attorney Robert W. B. Chang sponsorship of Mrs. King under an earlier action of the Commission to assist in the rehabilitation of the respondent.

This matter carried forward to the next meeting.

RE-190 JACK N. MATSUZAKI - UPON MOTION, the Commission having reviewed the proposal of Mr. Matsuzaki's counsel ruled that respondent's salesman license shall be surrendered for a period of not less than two years.

Upon full consideration, the Commission agreed that Mr. Hiroshi Kafo, Attorney, was to be advised of the decision. Further counsel was to be queried on whether his client would accept the condition of a voluntary suspension of the license for a minimum period of not less than two years, with the understanding that no hearing will be conducted under Sec. 170-12(g).

The Executive Secretary was instructed to communicate the Commission's decision to the respondent's attorney and upon the acceptance of conditions an agreement is to be executed for the voluntary surrender of the permanent salesman license and pocket identification card.

The Commission concluded the deliberation with the position that if the proposal is not acceptable to the respondent, the hearing will be conducted at the end of the thirty-day continuance period.

Motion carried unanimously.

RE-208 JOE HUNTER

RE-209 EUGENE HELLER

RE-210 HYMAN GALEA

In reviewing the narrative reports above, the Commission is of the opinion that there has been a violation of the licensing statute, and it is agreed that the three complaints are to be forwarded to the Prosecuting Attorney's Office, City and County of Honolulu, for disposition.

RE-211 TAHA INVESTMENT - The Commission, having reviewed the investigation report, suggested that the complainant, Daniel Y. Arashiro, should pursue the matter of the defective description of land he has agreed to buy with an attorney. The Executive Secretary should press for a response from the partnership to the warning letter of March 4, 1966 sent to out-of-state land sale operators. It is apparent that TAHA INVESTMENT, as a partnership, is utilizing the lot-split sales approach.

RE-214 PREFERRED PROPERTIES - The Commission discussed the manner in which the Developer holds out to the public that a free trip is offered when in fact the agreement to purchase arrangement gives gratis travel to the Lake Havasu development to those who buy. The statement in advertising and promotional matter to the effect that this project is registered with the Commission was also considered.

The Oahu members agreed to meet during the week March 21 through 25 and review the infractions with Calvin C. F. Lau, franchised broker representing Holly Development Co., agents for McCulloch Properties, Inc., the Developer. Mr. Lau is to be advised that the Commission expects his cooperation or the alternate of punitive action may have to be considered.

Mr. Peterson, Deputy Attorney General, will be given pertinent extracts from the registration file in order to counsel the Commission on possible courses of action to curb the violations and seek immediate compliance with existing law and regulations.

AMERICAN SAVINGS & LOAN ASSOCIATION PROJECT - The Commission reviewed the advertising and promotional matter filed by Aaron M. Chaney, Inc., as the agent for American Savings & Loan, H.C.&D. Ltd., and Hawaiian Dredging & Construction, Ltd., developers of a proposed commercial condominium at the mauka-Diamond Head corner where Kaheka Street meets Kapiolani Boulevard. It was initially understood when Aaron M. Chaney, Inc., presented their promotional program to the Commission that the restriction would be to a market-study approach. The Commission's attention was directed to use of the word condominium in a recent full-page advertisement. There was unanimous agreement that the use of this word went beyond the market-study approach and placed the offering more in the horizontal property concept than in the soliciting of interest in office space.

On appropriate motion, the Commission ruled that the Executive Secretary is to investigate this recent infraction and in his dealings, he is to solicit Mr. Chaney's cooperation, as a licensee, in equitable and fair administration of the real estate laws. The members saw the problem as consisting of two parts: (1) the market study arrangement before registering the project with the Commission, and (2) the use of the word condominium without qualifying it by language to show it was proposed.

Miscellaneous: OUT-OF-STATE LAND SALES ENFORCEMENT PROGRAM

The Executive Secretary reported on developments since the publishing of the news article referencing the Attorney General's opinion of February 25, 1966. By subsequent memorandum, the members have been advised of administrative action taken to warn approximately fifty (50) firms or persons on possible illegal operations. The March 5, 1966 notice has already brought inquiries and statements of cooperation from potential complainants and land sellers respectively.

The Chairman suggested that an analysis of the entire problem should be made for presentation to the Commission. He believed that such an evaluation could be ready after the passage of approximately 45 days.

1966 BUDGET SESSION, THIRD LEGISLATURE

The Chairman briefed the members on the advance preparation of the bill to amend the Horizontal Property Act, the introduction of the proposal to the House of Representatives as H.B. NO. 452 and to the Senate as S.B. NO. 297, and the ensuing action of legislative leaders to deny the amendment as qualifying under standards of an emergency measure.

The Executive Secretary was instructed to make preparations for the Commission's 1967 Legislative Program. In addition to improving and strengthening the Horizontal Property Act, along the lines of H.B. 452 (S.B. NO. 297), the Commission will work for passage of legislation that clearly spells out the exception of a corporate designated officer whose duties and responsibilities require him to occasionally sell or lease land. Also, the members agreed that the licensing, subdivision registration and condominium laws should be amended by giving the Commission the authority to issue desist and refrain orders, and follow with injunctive actions when appropriate.

EDUCATION TASK FORCE

The Chairman reported on his efforts to move into Mr. Sodehani's role and work towards a continuation of communications with College of Business Administration officials at the University of Hawaii, as well as conferring with the Education Committee, Honolulu Board of Realtors. It is Mr. Palk's intention to sponsor a meeting with representatives of the above organizations and lay out a program of determining goals and objectives that might be considered.

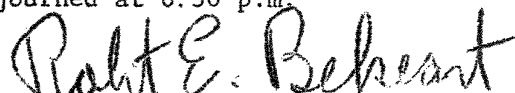
Date of
Next Meeting:

The Chairman expressed his concern that important items are considered towards the end of the agenda as members work to conclude the afternoon business. He suggested that if it was not an inconvenience to the neighboring island commissioners that the proceedings should start earlier in the day in order to permit the Commission to thoroughly study and act on the increasing number of important problems which face the regulators.

It was agreed that the next meeting would convene at 10:00 A.M., Tuesday, April 19, 1966 in Honolulu.

Adjournment:

There being no further business to transact, the Chairman declared the meeting adjourned at 6:30 p.m.


ROBT E. BEKEART, Executive Secretary

APPROVED BY THE COMMISSION:

JACK K. PALK, Chairman

REB:va
4/15/66